

REMARKS/ARGUMENTS

This Amendment is submitted in reply to the Notice of Non-Compliant Amendment dated January 30, 2006, and within the one-month period for reply extending to February 28, 2006. This Amendment represents a correction of the Amendment previously submitted in reply to the Office Action dated July 29, 2005, and within the three month period for reply extending to October 31, 2005.

The status of the claims is summarized as follows:

- claims 9-20, 27, and 35-41 are currently amended;
- claims 1-8 are cancelled; and
- claims 9-42 are pending following entry of the present Amendment.

Claim Objections

The Office has objected to claim 27 as containing a typographical error. The Office is requested to note that claim 27 has been amended to include a period at the end of the claim.

Rejections under 35 U.S.C. 101

Claims 9-20 and 35-41 have been rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. More specifically, the Office has asserted that the systems of claims 9-20 and 35-41 are not tangibly embodied in a manner so as to be executable. These rejections are traversed.

The Applicants respectfully refer the Office to the precedential opinion presented in *Ex parte Lundgren*, Appeal No. 2003-2088 (Bd. Pat. App. & Int. April 20, 2004). The Supreme Court has "... recognized limits to §101 and every discovery is not embraced within the statutory terms. Excluded from such patent protection are laws of nature,

physical phenomena and abstract ideas." *Diamond v. Diehr*, 450 U.S. 175, 185, 209 USPQ 1, 7 (1981). In the present rejections under 35 U.S.C. 101, the Office has not taken the position that claims 9-20 and 35-41 are directed to a law of nature, physical phenomena or an abstract idea, the judicially recognized exception to date to 35 U.S.C. 101. Therefore, the systems as recited in claims 9-20 and 35-41 should be considered statutory subject matter within the requirements of 35 U.S.C. 101.

Notwithstanding the foregoing, the Applicants have amended claims 9-20 and 35-41 in the interest of furthering prosecution of the present case. More specifically, the "system" recited in each of claims 9-20 and 35-41 has been clarified as a "computer implemented system." Therefore, the Office is kindly requested to withdraw the rejections of claims 9-20 and 35-41 under 35 U.S.C. 101.

Rejections under 35 U.S.C. 102

Claims 9-11, 13, 20-25, 27, 34-38, and 42 were rejected under 35 U.S.C. 102(e) as being anticipated by Lynch et al. ("Lynch" hereafter) (U.S. Patent No. 6,558,431). These rejections are traversed.

Lynch teaches a renderer 705 that is part of an editor 700. According to Lynch, the renderer 705 is used to form a screen display page corresponding to an HTML file that is loaded into the editor 700 for editing. The renderer 705 of Lynch uses a document tree 704, developed from the HTML file that is loaded into the editor 700, to form a screen display page representing the HTML file that is loaded into the editor 700 (col. 4, lines 50-52). It should be appreciated that the screen display page formed by the renderer 705 of Lynch is not a graphical user interface (GUI) for a component based application program. Moreover, the screen display page formed by the renderer 705 of Lynch is not even a GUI for the editor 700. Rather, the screen display page formed by renderer 705

simply is a visual representation of an HTML file that is loaded into the editor 700. Lynch does not include any teaching of the renderer 705 being defined to render anything other than the screen display page corresponding to an HTML file that is currently loaded into the editor 700.

5 The renderer 705 of Lynch and the renderer as recited in claim 9 are similar in name only. More specifically, the renderer 705 of Lynch does not teach the renderer as recited in claim 9. With respect to claim 9, the renderer is required to render a graphical user interface for the component based application program. As discussed above, the
10 renderer 705 of Lynch renders a screen display page corresponding to an HTML file that is loaded into the editor 700. Therefore, it is not reasonable to conclude that the renderer 705 of Lynch is taught as having a capability to render a GUI for a component based application program.

 Further with respect to claim 9, the renderer is required to render a GUI for the component based application according to a document viewer user interface requirements
15 specification associated with a document viewer. Notwithstanding the fact, as discussed above, that the renderer 705 of Lynch does not render a GUI for a component based application program, the renderer 705 of Lynch is also not disclosed as operating in accordance with a document viewer user interface requirements specification, or a requirement specification of any sort.

20 For a claim to be anticipated under 35 U.S.C. 102, each and every feature of the claim must be taught by a single reference. Additionally, the anticipating reference must also teach any dependencies between the features as recited in the subject claim. As discussed above, Lynch does not teach each and every feature as recited in claim 9. Therefore, the Applicants submit that claim 9 is patentable over Lynch. Also, each of

dependent claims 10-11, 13, and 20 includes the features of claim 9, from which it depends, and is patentable over Lynch for at least the reasons provided for claim 9.

With respect to claim 21, the Office has used the same bases of rejection as applied against claim 9 to assert that Lynch teaches rendering a graphical user interface for the component based application program according to a document viewer user interface requirements specification. As discussed with respect to claim 9, the renderer 705 of Lynch does not teach the renderer capability as recited in claim 21. For example, the renderer 705 of Lynch does not render a GUI for a component based application program. The renderer 705 of Lynch uses a document tree 704, developed from an HTML file that is loaded into an editor 700, to form a screen display page representing the HTML file that is loaded into the editor 700. The HTML file that is loaded into the editor 700 is not a component based application program. Therefore, the screen display page representing the HTML file is not a GUI for a component based application program.

Further with respect to claim 21, Lynch does not teach a document viewer having a user interface requirements specification. The Office has referred to example screen shots 1101, 1102, 601, 602 presented in Lynch as teaching a document viewer. Claim 21 recites that the document viewer is added as a component of a component based application program. Therefore, the document viewer recited in claim 21 is not simply a screen shot. Lynch does not include any teaching that the screen shots 1101, 1102, 601, 602 are components within a component based application program. Additionally, Lynch does not include any teaching of a user interface requirements specification being associated with screen shots 1101, 1102, 601, 602.

For a claim to be anticipated under 35 U.S.C. 102, each and every feature of the claim must be taught by a single reference. Additionally, the anticipating reference must also teach any dependencies between the features as recited in the subject claim. As

discussed above, Lynch does not teach each and every feature as recited in claim 21. Therefore, the Applicants submit that claim 21 is patentable over Lynch. Also, each of dependent claims 22-25, 27, and 34 includes the features of claim 21, from which it depends, and is patentable over Lynch for at least the reasons provided for claim 21.

5 The Office has used the same bases of rejection as applied against claims 9 and 21 in rejecting similar features of claim 35. For example, the Office has asserted that the screen shots 1101, 1102, 601, 602 of Lynch teach the document viewer recited in claim 35. However, the screen shots 1101, 1102, 601, 602 of Lynch do not teach a document viewer having a user interface requirements specification and at least one predefined user
10 interface layout that defines an arrangement of a user interface component. Lynch does not mention either a user interface requirements specification or a predefined user interface layout that defines an arrangement of a user interface component.

 Further with respect to claim 35, the renderer 705 of Lynch does not teach a renderer for rendering a GUI according to the predefined user interface layout and present
15 context of a component based application program. The Office has simply cited column and line of Lynch without providing an explanation of how the renderer 705 of Lynch teaches the renderer of the present invention. The Applicants cannot find any teachings within Lynch which would indicate that the renderer 705 of Lynch has the capability to render a GUI according to the predefined user interface layout and present context of a
20 component based application program.

 Office has referenced the editor 700 of Lynch as teaching an application proxy for managing communication between a renderer, a document viewer, and a user interface component such that the GUI is rendered upon a change in the present context. Again, the Office has simply cited column and line of Lynch without providing an explanation of
25 how the editor 700 of Lynch teaches the application proxy of the present invention. The

Applicants cannot find any teachings within Lynch which would indicate that the editor 700 of Lynch is defined to manage communication as recited in claim 35.

For a claim to be anticipated under 35 U.S.C. 102, each and every feature of the claim must be taught by a single reference. Additionally, the anticipating reference must teach any dependencies between the features as recited in the subject claim. As discussed above, Lynch does not teach each and every feature as recited in claim 35. Therefore, the Applicants submit that claim 35 is patentable over Lynch. Also, each of dependent claims 36-38 includes the features of claim 35, from which it depends, and is patentable over Lynch for at least the reasons provided for claim 35.

The Office has used the same bases of rejection as applied against claims 9, 21, and 35 in rejecting similar features of claim 42. Therefore, the arguments presented above with respect to claims 9, 21, and 35 also apply to claim 42. Because Lynch does not teach each and every feature as recited in claim 42, the Applicants submit that claim 42 is patentable over Lynch.

Rejections under 35 U.S.C. 103

Claims 12 and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch in view of Rosenberg et al. ("Rosenberg" hereafter) (U.S. Patent No. 5,956,484). These rejections are traversed.

Claims 12 and 25 depend from and incorporate each feature of claims 9 and 21, respectively. Therefore, the Applicants submit that claims 12 and 25 are patentable for at least the same reasons provided above for claims 9 and 21, respectively.

Claims 15-19, 28-33, and 39-41 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lynch. These rejections are traversed.

The Office has relied on Official Notice to reject many of the features presented in claims 15-19, 28-33, and 39-41. The Applicants hereby traverse each use of Official Notice by the Office. The Applicants request that the Office either indicate the allowability of each claim 15-19, 28-33, and 39-41, or provide an appropriate reference as a basis for rejection.

Additionally, each of claims 15-19, 28-33, and 39-41 incorporates the features of its respective independent claim. Therefore, the Applicants submit that each of claims 15-19, 28-33, and 39-41 is patentable for at least the same reasons provided above for its respective independent claim.

In view of the foregoing, the Applicants respectfully submit that all of the pending claims are in condition for allowance. The Applicants respectfully request that a Notice of Allowance be issued. If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6914. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. ROXIP259). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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